

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CLARK STOECKLEY, and ERIK MCGREGOR,

Plaintiffs,

-against-

THE CITY OF NEW YORK, a municipal entity,  
NEW YORK CITY POLICE OFFICER VINCENT  
BOCCIO, NEW YORK CITY POLICE  
SERGEANT ANTHONY SANTANGELO, NEW  
YORK CITY POLICE OFFICER CHRISTOPHE  
VENTURA, NEW YORK CITY POLICE  
LIEUTENANT KONSTANTINIDIS, NEW YORK  
CITY POLICE CAPTAIN WILLIAM GARDNER,  
NEW YORK CITY POLICE SERGEANT ALLAN  
FLAXMAN, NEW YORK CITY POLICE  
OFFICER PETER STABILE, NEW YORK CITY  
POLICE OFFICER BRIAN BLAZER, NEW YORK  
CITY POLICE OFFICER FRANK BONILLA,  
NEW YORK CITY POLICE OFFICER JAMES  
MAZZOLA, NEW YORK CITY POLICE  
OFFICER SANABRIA, NEW YORK CITY  
POLICE OFFICER FELICIANO, NEW YORK  
CITY POLICE SERGEANT "JANE DOES POLICE  
SERGEANT FROM 10/17/11 INCIDENT",NEW  
YORK CITY POLICE OFFICER "JOHN DOE  
NYPD TOW TRUCK DRIVER FROM 10/17/11  
INCIDENT", NEW YORK CITY POLICE  
OFFICER ANTHONY ANGLISANO,NEW YORK  
CITY POLICE OFFICER JOHN BLANCO, and  
NEW YORK CITY POLICE OFFICERS "JOHN  
DOES 1-10",

Defendants.

**ANSWER ON BEHALF  
OF THE CITY OF NEW  
YORK, GARDNER,  
KONSTANTINIDIS,  
SANTANGELO,  
BOCCIO, VENTURA,  
FLAXMAN, BONILLA,  
STABILE, BLAZER,  
MAZZOLA, FELICIANO,  
ANGLISANO, BLANCO  
TO THE AMENDED  
COMPLAINT**

13-CV-6173 (VSB)

**JURY TRIAL  
DEMANDED**

-----X  
Defendants, The City of New York, Officers Gardner, Konstantinidis, Santangelo,  
Boccio, Ventura, Flaxman, Bonilla, Stabile, Blazer, Mazzola, Feliciano, Anglisano, Blanco by  
their attorney, **ZACHARY W. CARTER**, Corporation Counsel of the City of New York, as and  
for their answer to the Amended Complaint, respectfully allege as follows:

1. Deny the allegations set forth in paragraph “1” of the Amended Complaint except admit that plaintiffs purport to bring this action as stated therein.

2. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “2” of the Amended Complaint except Deny plaintiffs were arrested without cause.

3. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “3” of the Amended Complaint except admit that plaintiffs were arrested and charged. .

4. Deny the allegations set forth in paragraph “4” of the Amended Complaint.

5. Deny the allegations set forth in paragraph “5” of the Amended Complaint except admit that plaintiffs purport to invoke the jurisdiction of the Court as stated therein.

6. Deny the allegations set forth in paragraph “6” of the Amended Complaint except admit that plaintiffs purport to invoke the supplemental jurisdiction of the Court as stated therein.

7. Deny the allegations set forth in paragraph “7” of the Amended Complaint except admit that plaintiffs purport to lay venue as stated therein.

8. Paragraph "8" of the Amended Complaint sets forth a jury demand to which no response is required.

9. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “9” of the Amended Complaint.

10. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “10” of the Amended Complaint.

11. Deny the allegations set forth in paragraph “11” of the Amended Complaint except admit that The City of New York is a municipal entity authorized under the laws of the State of New York.

12. Deny the allegations set forth in paragraph “12” of the Amended Complaint except admit that The City of New York maintains a police department and respectfully refer the Court to the New York City Charter and Administrative Code for a recitation of the relationship between the city and the New York City Police Department ("NYPD").

13. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “13” of the Amended Complaint except admit that Police Officer Vincent Boccio is employed by the NYPD.

14. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “14” of the Amended Complaint except admit that Police Sergeant Anthony Santangelo is employed by the NYPD.

15. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “15” of the Amended Complaint except admit that Police Officer Christopher Ventura is employed by the NYPD.

16. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “16” of the Amended Complaint except admit that Police Captain William Gardner is employed by the NYPD.

17. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “17” of the Amended Complaint except admit that Police Lieutenant Konstantinidis was employed by the NYPD.

18. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “18” of the Amended Complaint except admit that Police Sergeant Allan Flaxman is employed by the NYPD.

19. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “19” of the Amended Complaint except admit that Police Officer Peter Stabile is employed by the NYPD.

20. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “20” of the Amended Complaint except admit that Police Officer Brian Blazer is employed by the NYPD.

21. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “21” of the Amended Complaint except admit that Police Officer Frank Bonilla is employed by the NYPD.

22. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “22” of the Amended Complaint except admit that Police Officer James Mazzola is employed by the NYPD.

23. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “23” of the Amended Complaint.

24. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “24” of the Amended Complaint except admit that Police Officer Omayra Feliciano is employed by the NYPD.

25. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “25” of the Amended Complaint.

26. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “26” of the Amended Complaint.

27. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “27” of the Amended Complaint.

28. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “28” of the Amended Complaint.

29. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “29” of the Amended Complaint.

30. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “30” of the Amended Complaint.

31. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “31” of the Amended Complaint.

32. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “32” of the Amended Complaint except admit that Police Officer Anthony Anglisano is employed by the NYPD.

33. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “33” of the Amended Complaint except admit that Police Officer John Blanco is employed by the NYPD.

34. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “34” of the Amended Complaint and state that whether defendants were “acting under the supervision of said department” is a conclusion of law rather than an averment of fact to which no response is required.

35. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “35” of the Amended Complaint.

36. Deny the allegations set forth in paragraph "36" of the Amended Complaint and further state that whether defendant police officers were " acting under color of state law and/or in compliance with the official rules, regulations, laws, statutes, customs, usages and/or practices" is a conclusion of law rather than an averment of fact to which no response is required

37. Deny the allegations set forth in paragraph "37" of the Amended Complaint and further state that whether defendant police officers were acting within "the scope and in furtherance of their employment" is a conclusion of law rather than an averment of fact to which no response is required.

38. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “38” of the Amended Complaint.

39. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “39” of the Amended Complaint.

40. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “40” of the Amended Complaint.

41. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “41” of the Amended Complaint.

42. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “42” of the Amended Complaint.

43. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “43” of the Amended Complaint.

44. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “44” of the Amended Complaint.

45. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “45” of the Amended Complaint.

46. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “46” of the Amended Complaint.

47. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “47” of the Amended Complaint.

48. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “48” of the Amended Complaint.

49. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “49” of the Amended Complaint.

50. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “50” of the Amended Complaint.

51. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “51” of the Amended Complaint.

52. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “52” of the Amended Complaint.

53. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “53” of the Amended Complaint.

54. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “54” of the Amended Complaint.

55. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “55” of the Amended Complaint.

56. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “56” of the Amended Complaint.

57. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “57” of the Amended Complaint.

58. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “58” of the Amended Complaint.

59. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “59” of the Amended Complaint.

60. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “60” of the Amended Complaint.

61. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “61” of the Amended Complaint.

62. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “62” of the Amended Complaint.

63. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “63” of the Amended Complaint.

64. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “64” of the Amended Complaint.

65. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “65” of the Amended Complaint.



66. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “66” of the Amended Complaint except admit that NYPD officers approached plaintiffs' vehicle .

67. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “67” of the Amended Complaint.

68. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “68” of the Amended Complaint.

69. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “69” of the Amended Complaint.

70. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “70” of the Amended Complaint.

71. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “71” of the Amended Complaint.

72. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “72” of the Amended Complaint.

73. Deny the allegations set forth in paragraph “73” of the Amended Complaint.

74. Deny the allegations set forth in paragraph “74” of the Amended Complaint.

75. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “75” of the Amended Complaint.

76. Deny the allegations set forth in paragraph “76” of the Amended Complaint.

77. Deny the allegations set forth in paragraph “77” of the Amended Complaint.

78. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “78” of the Amended Complaint except admit that members of the TARU unit were present.

79. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “79” of the Amended Complaint.

80. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “80” of the Amended Complaint.

81. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “81” of the Amended Complaint.

82. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “82” of the Amended Complaint.

83. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “83” of the Amended Complaint.

84. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “84” of the Amended Complaint.

85. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “85” of the Amended Complaint.

86. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “86” of the Amended Complaint.

87. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “87” of the Amended Complaint.

88. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “88” of the Amended Complaint.

89. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “89” of the Amended Complaint.

90. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “90” of the Amended Complaint.

91. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “91” of the Amended Complaint.

92. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “92” of the Amended Complaint.

93. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “93” of the Amended Complaint.

94. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “94” of the Amended Complaint.

95. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “95” of the Amended Complaint.

96. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “96” of the Amended Complaint.

97. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “97” of the Amended Complaint.

98. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “98” of the Amended Complaint.

99. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “99” of the Amended Complaint.

100. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “100” of the Amended Complaint.

101. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “101” of the Amended Complaint.

102. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “102” of the Amended Complaint.

103. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “103” of the Amended Complaint.

104. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “104” of the Amended Complaint.

105. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “105” of the Amended Complaint.

106. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “106” of the Amended Complaint.

107. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “107” of the Amended Complaint.

108. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “108” of the Amended Complaint.

109. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “109” of the Amended Complaint.

110. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “110” of the Amended Complaint.

111. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “111” of the Amended Complaint.

112. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “112” of the Amended Complaint.

113. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “113” of the Amended Complaint.

114. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “114” of the Amended Complaint.

115. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “115” of the Amended Complaint.

116. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “116” of the Amended Complaint.

117. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “117” of the Amended Complaint.

118. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “118” of the Amended Complaint.

119. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “119” of the Amended Complaint.

120. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “120” of the Amended Complaint.

121. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “121” of the Amended Complaint.

122. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “122” of the Amended Complaint.

123. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “123” of the Amended Complaint.

124. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “124” of the Amended Complaint.

125. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “125” of the Amended Complaint.

126. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “126” of the Amended Complaint.

127. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “127” of the Amended Complaint.

128. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “128” of the Amended Complaint.

129. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “129” of the Amended Complaint.

130. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “130” of the Amended Complaint except admit that plaintiffs were handcuffed and arrested.

131. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “131” of the Amended Complaint.

132. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “132” of the Amended Complaint.

133. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “133” of the Amended Complaint.

134. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “134” of the Amended Complaint.

135. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “135” of the Amended Complaint.

136. Deny the allegations set forth in paragraph “136” of the Amended Complaint except admit that plaintiffs were handcuffed.

137. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “137” of the Amended Complaint.

138. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “138” of the Amended Complaint.

139. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “139” of the Amended Complaint.

140. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “140” of the Amended Complaint.

141. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “141” of the Amended Complaint.

142. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “142” of the Amended Complaint.

143. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “143” of the Amended Complaint.

144. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “144” of the Amended Complaint.

145. Deny the allegations set forth in paragraph “145” of the Amended Complaint.

146. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “146” of the Amended Complaint.

147. Deny the allegations set forth in paragraph “147” of the Amended Complaint.

148. Deny the allegations set forth in paragraph “148” of the Amended Complaint.

149. Deny the allegations set forth in paragraph “149” of the Amended Complaint.

150. Deny the allegations set forth in paragraph “150” of the Amended Complaint.

151. Deny the allegations set forth in paragraph “151” of the Amended Complaint.

152. Deny the allegations set forth in paragraph “152” of the Amended Complaint.

153. Deny the allegations set forth in paragraph “153” of the Amended Complaint.



154. Deny the allegations set forth in paragraph “154” of the Amended Complaint.

155. Deny the allegations set forth in paragraph “155” of the Amended Complaint.

156. Deny the allegations set forth in paragraph “156” of the Amended Complaint.

157. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “157” of the Amended Complaint.

158. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “158” of the Amended Complaint.

159. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “159” of the Amended Complaint.

160. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “160” of the Amended Complaint.

161. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “161” of the Amended Complaint.

162. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “162” of the Amended Complaint.

163. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “163” of the Amended Complaint except admit that plaintiffs were transported to a precinct.

164. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “164” of the Amended Complaint except admit that plaintiffs were transported to a precinct.

165. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “165” of the Amended Complaint.

166. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “166” of the Amended Complaint except admit that plaintiffs were processed.

167. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “167” of the Amended Complaint except admit that plaintiffs were processed.

168. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “168” of the Amended Complaint.

169. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “169” of the Amended Complaint except admit that plaintiffs were held in a cell.

170. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “170” of the Amended Complaint.

171. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “171” of the Amended Complaint.

172. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “172” of the Amended Complaint.

173. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “173” of the Amended Complaint except admit that a property invoice was generated.

174. Deny the allegations set forth in paragraph “174” of the Amended Complaint.

175. Deny the allegations set forth in paragraph “175” of the Amended Complaint.

176. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “176” of the Amended Complaint.

177. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “177” of the Amended Complaint except admit that a property invoice was generated.

178. Deny the allegations set forth in paragraph “178” of the Amended Complaint.

179. Deny the allegations set forth in paragraph “179” of the Amended Complaint.

180. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “180” of the Amended Complaint except admit that plaintiffs were placed in a cell.

181. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “181” of the Amended Complaint.

182. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “182” of the Amended Complaint.

183. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “183” of the Amended Complaint.

184. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “184” of the Amended Complaint.

185. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “185” of the Amended Complaint except admit that plaintiff received a desk appearance ticket.

186. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “186” of the Amended Complaint except admit that plaintiff was released.

187. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “187” of the Amended Complaint.

188. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “188” of the Amended Complaint.

189. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “189” of the Amended Complaint.

190. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “190” of the Amended Complaint.

191. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “191” of the Amended Complaint.

192. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “192” of the Amended Complaint except admit that that plaintiff was transported.

193. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “193” of the Amended Complaint except admit that plaintiff was transported in a police vehicle.

194. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “194” of the Amended Complaint.

195. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “195” of the Amended Complaint.

196. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “196” of the Amended Complaint.

197. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “197” of the Amended Complaint.

198. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “198” of the Amended Complaint.

199. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “199” of the Amended Complaint.

200. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “200” of the Amended Complaint.

201. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “201” of the Amended Complaint.

202. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “202” of the Amended Complaint.

203. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “203” of the Amended Complaint.

204. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “204” of the Amended Complaint.

205. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “205” of the Amended Complaint.

206. Deny the allegations set forth in paragraph “206” of the Amended Complaint.

207. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “207” of the Amended Complaint.

208. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “208” of the Amended Complaint except admit that an iris scan was performed, per plaintiff’s consent.

209. Deny the allegations set forth in paragraph “209” of the Amended Complaint.

210. Deny the allegations set forth in paragraph “210” of the Amended Complaint.

211. Deny the allegations set forth in paragraph “211” of the Amended Complaint.

212. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “212” of the Amended Complaint except admit that plaintiff was placed in a cell.

213. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “213” of the Amended Complaint except admit that that plaintiff was held for some time.

214. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “214” of the Amended Complaint.

215. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “215” of the Amended Complaint.

216. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “216” of the Amended Complaint.

217. Deny the allegations set forth in paragraph “217” of the Amended Complaint.

218. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “218” of the Amended Complaint except admit that plaintiff was released.

219. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “219” of the Amended Complaint.

220. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “220” of the Amended Complaint.

221. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “221” of the Amended Complaint.

222. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “222” of the Amended Complaint except admit that a property invoice was generated.

223. Admit the allegations set forth in paragraph “223” of the Amended Complaint.

224. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “224” of the Amended Complaint.

225. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “225” of the Amended Complaint.

226. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “226” of the Amended Complaint.

227. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “227” of the Amended Complaint.

228. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “228” of the Amended Complaint.

229. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “229” of the Amended Complaint.

230. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “230” of the Amended Complaint.

231. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “231” of the Amended Complaint.

232. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “232” of the Amended Complaint.

233. Deny the allegations set forth in paragraph “233” of the Amended Complaint.

234. Deny the allegations set forth in paragraph “234” of the Amended Complaint.



235. Deny the allegations set forth in paragraph “235” of the Amended Complaint.

236. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “236” of the Amended Complaint.

237. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “237” of the Amended Complaint.

238. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “238” of the Amended Complaint.

239. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “239” of the Amended Complaint.

240. Deny the allegations set forth in paragraph “240” of the Amended Complaint.

241. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “241” of the Amended Complaint.

242. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “242” of the Amended Complaint.

243. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “243” of the Amended Complaint.

244. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “244” of the Amended Complaint.

245. Deny the allegations set forth in paragraph “245” of the Amended Complaint.

246. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “246” of the Amended Complaint.

247. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “247” of the Amended Complaint.

248. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “248” of the Amended Complaint.

249. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “249” of the Amended Complaint.

250. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “250” of the Amended Complaint.

251. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “251” of the Amended Complaint.

252. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “252” of the Amended Complaint.

253. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “253” of the Amended Complaint.

254. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “254” of the Amended Complaint.

255. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “255” of the Amended Complaint.

256. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “256” of the Amended Complaint.

257. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “257” of the Amended Complaint.

258. Deny the allegations set forth in paragraph “258” of the Amended Complaint.

259. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “259” of the Amended Complaint.

260. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “260” of the Amended Complaint.

261. Deny the allegations set forth in paragraph “261” of the Amended Complaint except admit that plaintiff was arrested at or near Broadway and Cedar Street.

262. Deny the allegations set forth in paragraph “262” of the Amended Complaint.

263. Deny the allegations set forth in paragraph “263” of the Amended Complaint.

264. Deny the allegations set forth in paragraph “264” of the Amended Complaint.

265. Deny the allegations set forth in paragraph “265” of the Amended Complaint.

266. Deny the allegations set forth in paragraph “266” of the Amended Complaint.

267. Deny the allegations set forth in paragraph “267” of the Amended Complaint.

268. Deny the allegations set forth in paragraph “268” of the Amended Complaint.

269. Deny the allegations set forth in paragraph “269” of the Amended Complaint.

270. Deny the allegations set forth in paragraph “270” of the Amended Complaint.

271. Deny the allegations set forth in paragraph “271” of the Amended Complaint.

272. Deny the allegations set forth in paragraph “272” of the Amended Complaint.

273. Deny the allegations set forth in paragraph “273” of the Amended Complaint.

274. Deny the allegations set forth in paragraph “274” of the Amended Complaint.

275. Deny the allegations set forth in paragraph “275” of the Amended Complaint.

276. Deny the allegations set forth in paragraph “276” of the Amended Complaint.

277. Deny the allegations set forth in paragraph “277” of the Amended Complaint.

278. Deny the allegations set forth in paragraph “278” of the Amended Complaint.

279. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “279” of the Amended Complaint.

280. Deny the allegations set forth in paragraph “280” of the Amended Complaint.

281. Deny the allegations set forth in paragraph “281” of the Amended Complaint.

282. Deny the allegations set forth in paragraph “282” of the Amended Complaint.

283. Deny the allegations set forth in paragraph “283” of the Amended Complaint.

284. Deny the allegations set forth in paragraph “284” of the Amended Complaint.

285. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “285” of the Amended Complaint.

286. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “286” of the Amended Complaint.

287. Deny the allegations set forth in paragraph “287” of the Amended Complaint except admit that Plaintiff was issued a ticket.

288. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “288” of the Amended Complaint except admit that Plaintiff was issued a ticket.

289. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “289” of the Amended Complaint.

290. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “290” of the Amended Complaint.

291. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “291” of the Amended Complaint.

292. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “292” of the Amended Complaint.

293. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “293” of the Amended Complaint.

294. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “294” of the Amended Complaint.

295. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “295” of the Amended Complaint.

296. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “296” of the Amended Complaint.

297. Deny the allegations set forth in paragraph “297” of the Amended Complaint.

298. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “298” of the Amended Complaint.

299. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “299” of the Amended Complaint except admit that plaintiff's vehicle was towed.

300. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “300” of the Amended Complaint.

301. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “301” of the Amended Complaint.

302. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “302” of the Amended Complaint.

303. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “303” of the Amended Complaint.

304. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “304” of the Amended Complaint.

305. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “305” of the Amended Complaint.

306. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “306” of the Amended Complaint.

307. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “307” of the Amended Complaint.

308. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “308” of the Amended Complaint.

309. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “309” of the Amended Complaint.

310. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “310” of the Amended Complaint.

311. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “311” of the Amended Complaint.

312. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “312” of the Amended Complaint.

313. Deny the allegations set forth in paragraph “313” of the Amended Complaint.

314. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “314” of the Amended Complaint except admit that plaintiff's vehicle was towed.

315. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “315” of the Amended Complaint.

316. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “316” of the Amended Complaint.

317. Deny the allegations set forth in paragraph “317” of the Amended Complaint.

318. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “318” of the Amended Complaint.

319. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph “319” of the Amended Complaint.

320. Deny the allegations set forth in paragraph “320” of the Amended Complaint.

321. Deny the allegations set forth in paragraph “321” of the Amended Complaint.

322. Deny the allegations set forth in paragraph “322” of the Amended Complaint.



323. Deny the allegations set forth in paragraph “323” of the Amended Complaint.

324. Deny the allegations set forth in paragraph “324” of the Amended Complaint.

325. Deny the allegations set forth in paragraph “325” of the Amended Complaint.

326. Deny the allegations set forth in paragraph “326” of the Amended Complaint.

327. Deny the allegations set forth in paragraph “327” of the Amended Complaint.

328. Deny the allegations set forth in paragraph “328” of the Amended Complaint.

329. Deny the allegations set forth in paragraph “329” of the Amended Complaint.

330. Deny the allegations set forth in paragraph “330” of the Amended Complaint.

331. Deny the allegations set forth in paragraph “331” of the Amended Complaint.

332. Deny the allegations set forth in paragraph “332” of the Amended Complaint.

333. Deny the allegations set forth in paragraph “333” of the Amended Complaint.

334. Deny the allegations set forth in paragraph “334” of the Amended Complaint.

335. In response to the allegations set forth in paragraph "335" of the Amended Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

336. Deny the allegations set forth in paragraph “336” of the Amended Complaint.

337. Deny the allegations set forth in paragraph “337” of the Amended Complaint.

338. Deny the allegations set forth in paragraph “338” of the Amended Complaint.

339. Deny the allegations set forth in paragraph “339” of the Amended Complaint.

340. Deny the allegations set forth in paragraph “340” of the Amended Complaint.

341. Deny the allegations set forth in paragraph “341” of the Amended Complaint.

342. Deny the allegations set forth in paragraph “342” of the Amended Complaint.

343. In response to the allegations set forth in paragraph "343" of the Amended Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

344. Deny the allegations set forth in paragraph “344” of the Amended Complaint.

345. Deny the allegations set forth in paragraph “345” of the Amended Complaint.

346. Deny the allegations set forth in paragraph “346” of the Amended Complaint.

347. In response to the allegations set forth in paragraph "347" of the Amended Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

348. Deny the allegations set forth in paragraph “348” of the Amended Complaint.

349. Deny the allegations set forth in paragraph “349” of the Amended Complaint.

350. Deny the allegations set forth in paragraph “350” of the Amended Complaint.

351. Deny the allegations set forth in paragraph “351” of the Amended Complaint.

352. Deny the allegations set forth in paragraph “352” of the Amended Complaint.

353. In response to the allegations set forth in paragraph "353" of the Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

354. Deny the allegations set forth in paragraph “354” of the Amended Complaint.

355. Deny the allegations set forth in paragraph “355” of the Amended Complaint.

356. Deny the allegations set forth in paragraph “356” of the Amended Complaint.

357. Deny the allegations set forth in paragraph “357” of the Amended Complaint.

358. Deny the allegations set forth in paragraph “358” of the Amended Complaint.

359. Deny the allegations set forth in paragraph “359” of the Amended Complaint.

360. Deny the allegations set forth in paragraph “360” of the Amended Complaint.

361. Deny the allegations set forth in paragraph “361” of the Amended Complaint.

362. Deny the allegations set forth in paragraph “362” of the Amended Complaint.

363. Deny the allegations set forth in paragraph “363” of the Amended Complaint.

364. Deny the allegations set forth in paragraph “364” of the Amended Complaint.

365. Deny the allegations set forth in paragraph “365” of the Amended Complaint.

366. Deny the allegations set forth in paragraph “366” of the Amended Complaint.

367. Deny the allegations set forth in paragraph “367” of the Amended Complaint.

368. Deny the allegations set forth in paragraph “368” of the Amended Complaint.

369. Deny the allegations set forth in paragraph “369” of the Amended Complaint.

370. Deny the allegations set forth in paragraph “370” of the Amended Complaint.

371. Deny the allegations set forth in paragraph “371” of the Amended Complaint.

372. Deny the allegations set forth in paragraph “372” of the Amended Complaint.

373. Deny the allegations set forth in paragraph “373” of the Amended Complaint.

374. Deny the allegations set forth in paragraph “374” of the Amended Complaint.

375. In response to the allegations set forth in paragraph "375" of the Amended Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

376. Deny the allegations set forth in paragraph “376” of the Amended Complaint.

377. Deny the allegations set forth in paragraph “377” of the Amended Complaint.

378. Deny the allegations set forth in paragraph “378” of the Amended Complaint.

379. Deny the allegations set forth in paragraph “379” of the Amended Complaint.

380. Deny the allegations set forth in paragraph “380” of the Amended Complaint.

381. Deny the allegations set forth in paragraph “381” of the Amended Complaint.

382. Deny the allegations set forth in paragraph “382” of the Amended Complaint.

383. Deny the allegations set forth in paragraph “383” of the Amended Complaint.

384. Deny the allegations set forth in paragraph “384” of the Amended Complaint.

385. Deny the allegations set forth in paragraph “385” of the Amended Complaint.

386. Deny the allegations set forth in paragraph “386” of the Amended Complaint.

387. Deny the allegations set forth in paragraph “387” of the Amended Complaint.

388. Deny the allegations set forth in paragraph “388” of the Amended Complaint.

389. In response to the allegations set forth in paragraph "389" of the Amended Complaint, defendants repeat and re-allege the responses set forth in the preceding paragraphs of this answer as if fully set forth herein.

390. Deny the allegations set forth in paragraph “390” of the Amended Complaint.

391. Deny the allegations set forth in paragraph “391” of the Amended Complaint.

392. Deny the allegations set forth in paragraph “392” of the Amended Complaint.

393. Deny the allegations set forth in paragraph “393” of the Amended Complaint.

394. Deny the allegations set forth in paragraph “394” of the Amended Complaint.

395. Deny the allegations set forth in paragraph “395” of the Amended Complaint.

396. Deny the allegations set forth in paragraph “396” of the Amended Complaint.

397. Deny the allegations set forth in paragraph “397” of the Amended Complaint.

398. Deny the allegations set forth in paragraph “398” of the Amended Complaint.

399. Deny the allegations set forth in paragraph “399” of the Amended Complaint.

400. Deny the allegations set forth in paragraph “400” of the Amended Complaint.

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402. Deny the allegations set forth in paragraph “402” of the Amended Complaint.

403. Deny the allegations set forth in paragraph “403” of the Amended Complaint.

404. Deny the allegations set forth in paragraph “404” of the Amended Complaint.

405. Deny the allegations set forth in paragraph “405” of the Amended Complaint.

406. Deny the allegations set forth in paragraph “406” of the Amended Complaint.

407. Deny the allegations set forth in paragraph “407” of the Amended Complaint.

408. Deny the allegations set forth in paragraph “408” of the Amended Complaint.



409. Deny the allegations set forth in paragraph “409” of the Amended Complaint.

410. Deny the allegations set forth in paragraph “410” of the Amended Complaint.

411. Deny the allegations set forth in paragraph “411” of the Amended Complaint.

**FIRST AFFIRMATIVE DEFENSE:**

The Amended Complaint fails to state a claim upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE:**

Defendants have not violated any rights, privileges, or immunities under the Constitution or laws of the United State or the State of New York or any political subdivision thereof, nor have defendants violated any Act of Congress providing for the protection of civil rights.

**THIRD AFFIRMATIVE DEFENSE:**

Any injury alleged to have been sustained resulted from plaintiffs’ own culpable or negligent conduct or that of a third party and was not the proximate result of any act of defendants.

**FOURTH AFFIRMATIVE DEFENSE:**

Plaintiffs may have failed to comply with the conditions precedent to suit.

**FIFTH AFFIRMATIVE DEFENSE:**

There was probable cause for plaintiffs’ arrest, detention and prosecution.

**SIXTH AFFIRMATIVE DEFENSE:**

Plaintiffs’ claims may be barred by the applicable statute of limitations.

**SEVENTH AFFIRMATIVE DEFENSE:**

At all times relevant to the acts alleged in the Amended Complaint, defendant City, its agents and officials, acted reasonably, properly, lawfully and in good faith in the exercise of their discretion. Consequently, defendant City of New York is entitled to governmental immunity.

**EIGHTH AFFIRMATIVE DEFENSE:**

Plaintiffs may have failed, in whole or in part, to comply with New York General Municipal Law § 50(e), §50-h, §50-k and §50-i.

**NINTH AFFIRMATIVE DEFENSE:**

Plaintiffs provoked any incident.

**TENTH AFFIRMATIVE DEFENSE:**

Punitive damages cannot be awarded against the City of New York.

**ELEVENTH AFFIRMATIVE DEFENSE:**

Plaintiffs have failed to mitigate their alleged damages.

**TWELFTH AFFIRMATIVE DEFENSE:**

At all times relevant to the acts alleged in the Amended Complaint, defendants acted reasonably in the proper and lawful exercise of their discretion.

**THIRTEENTH AFFIRMATIVE DEFENSE:**

The individually named defendants have not violated any clearly established constitutional or statutory right of which a reasonable person would have known and, therefore they are entitled to qualified immunity from liability.

**CONCLUSION**

**WHEREFORE**, defendants respectfully request that the Amended Complaint be dismissed in its entirety, that the court enter judgment for defendants, and that defendants be granted costs, fees, and disbursements together with such other and further relief as the Court deems just and proper.

Dated: New York, New York  
October 10, 2014

**ZACHARY W. CARTER**  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
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New York, N.Y. 10007-2601  
Tele: 212-356-2323

By: \_\_\_\_\_/s/  
JOY T. ANAKHU  
Assistant Corporation Counsel  
Special Federal Litigation Division

To: **(VIA ECF)**  
**STECKLOW COHEN & THOMPSON**  
Attorney(s) for Plaintiffs  
217 Centre Street, 6<sup>th</sup> Fl.  
New York, NY 10013  
Att: Wylie Stecklow

13CV6173 (VSB)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLARK STOECKLEY , et al.,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

**ANSWER TO AMENDED COMPLAINT**

**ZACHARY W. CARTER**

Corporation Counsel of the City of New York  
Attorney for Defendants  
100 Church Street,  
New York, New York 10007-2601

Of Counsel: Joy T. Anakhu  
Tel.: (212) 356-2323

NYCLIS No.: 2013-042216

*Service of which is hereby acknowledged:*

....., N.Y. Dated: .....

Signed: .....

Print Name: .....

Attorney for: .....